



Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's findings of fact and conclusions of law. Plaintiff's claim is hereby **REMANDED** to Guardian for the limited purpose of further administrative decision making consistent with Judge Carter's Report and Recommendation.

**SO ORDERED** this 4th day of March, 2014.

/s/ Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE